

CRAIN
CATON
— & —
JAMES

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS
SINCE 1912

17TH FLOOR
FIVE HOUSTON CENTER
1401 MCKINNEY STREET
HOUSTON, TEXAS 77010-4035

Email: kbrown@craincaton.com

TELEPHONE: 713 658 2323
FACSIMILE: 713 425 7928
DIRECT LINE: 713 752 8628

Kelly D. Brown
Shareholder

September 29, 2014

Mr. Terry Andrews
Project Manager
Remediation Division - Superfund Section (MC-136)
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

*Via Facsimile (512) 239-0606
and CM/RRR*

Certified Article Number

7196 9008 9111 9697 1060

SENDERS RECORD

Re: CES Environmental Services Inc. ("CES"), 4904 Griggs Road, Houston, Harris County, Texas - SWR No. 30900 ("Site")

Dear Mr. Andrews:

This firm represents Mogas Industries, Inc. ("Mogas"), and this letter is in response to your August 28, 2014 letter (the "Letter") requesting a good faith offer from Mogas to fund or perform a Remedial Investigation/Feasibility Study (RI/FS) at the above-captioned Site. This letter also confirms that Mogas has until October 27, 2014 to provide the documents and other information requested in the Letter.

The TCEQ also has asked whether Mogas would be willing to fund or conduct TCEQ-approved cleanup activities at the Site such as removals, investigations, or remedial actions. Mogas may be willing to help fund or conduct such activities, but the company does not yet have sufficient information about the Site or the anticipated cleanup activities to make an unequivocal offer to help fund or conduct the referenced activities.

Mogas understands that other recipients of the Letter may propose a meeting in the next couple of weeks with the TCEQ technical and legal representatives to discuss the history of the Site, remedial actions that are contemplated, whether or not such remedial actions can be completed through the agency's Voluntary Cleanup Program, and the roles, if any that EPA and/or CES's bankruptcy trustee will have going forward. Mogas is interested in participating in such a meeting and would like to be notified of all Site-related activities, including the date/time of the referenced meeting should it occur.

Mr. Terry Andrews
September 29, 2014
Page 2

If you have any questions, please call me at 713.752.8628.

Sincerely,

CRAIN, CATON & JAMES, P.C.

By: 
Kelly D. Brown

KDB/rr

cc: Ms. Carol Rahmani, Remediation Division, Office of Waste, TCEQ
Ms. Patricia Scott, Litigation Division, Office of Legal Services, TCEQ